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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 THE BANK OF NEW YORK MELLON F/K/A
10 THE BANK OF NEW YORK, AS TRUSTEE
11 FOR THE CERTIFICATEHOLDERS OF THE
12 CWABS, INC., ASSET-BACKED
CERTIFICATES, SERIES 2006-13,

13 Plaintiff,

14 vs.

15 SHEILA WASHINGTON, an individual; LISA
FEARS, an individual; SEVILLA
16 HOMEOWNERS ASSOCIATION, a Nevada
Non-Profit Corporation,

17 Defendants.

Case No. 2:18-cv-00513-JCM-NJK

18 **STIPULATION AND ORDER FOR DISMISSAL OF DEFENDANT SEVILLA**
19 **HOMEOWNERS ASSOCIATION WITH PREJUDICE**

20 Pursuant to Fed. R. Civ. P. 41(a), Plaintiff The Bank of New York Mellon f/k/a The Bank of
21 New York, as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates,
22 Series 2006-13 and Defendant Sevilla Homeowners Association (the “HOA”)—the only parties who
23 entered an appearance in this case—stipulate to a dismissal of all claims against the HOA with
24 prejudice and with all parties to bear their own fees and costs. The following sets forth the basis for
25 the dismissal:

26 1. On March 20, 2018, Plaintiff filed its complaint in this action naming the HOA and
27 other parties as defendants. This action arose from the HOA’s foreclosure sale of real property
28 located at 3135 South Mojave Road, Building 10, # 103, Las Vegas, NV 89121 (the “Property”).

2. The HOA does not have a current ownership interest in title to the Property.

3. The HOA specifically reserves its ongoing rights under Nevada law, including Chapter 116 of the Nevada Revised Statutes, and its governing documents, including a declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Sevilla, recorded on May 17, 2006 with the Clark County Recorder's office as instrument number 20060517-0000545.

4. This dismissal does not affect any rights, claims, or defenses of Plaintiff or the HOA with respect to any other party related to the foreclosure sale of the Property.

IT IS SO ORDERED.

James C. Mahan
UNITED STATES DISTRICT JUDGE

DATED: August 30, 2018

DATED: August 29, 2018

/s/ J. Stephen Dolembro
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DATED: August 29, 2018

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